

# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. 1450  
Alexandria, VA 22313-1450

Application No. 09/739,233  
Filing Date December 29, 2000  
First Named Inventor Frank Berry  
Art Unit 2151  
Examiner Name Kennedy, L.  
Attorney Docket Number 42390P9059

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** [Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).]
  - a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.118 previously filed on  
(Any unentered amendment(s) referred to above will be entered).
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
    - iii. ☐ Other \_\_\_\_\_
  - b. ☒ Enclosed
    - i. ☒ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(c) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-C221
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) and any additional claims fee(s)
    - ii. ☒ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
    - iii. ☐ Other: (\$00)
  - b. ☐ Check in the amount of \$880.00 enclosed
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type) Libby H. Hope  
Signature   
Registration No. (Attorney/Agent) 46,774  
Date 9.24.04

## **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that on the date shown below this correspondence is being transmitted via facsimile to the USPTO and that this correspondence is being deposited with the USPS with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type) Libby H. Hope  
Signature 110.00 DA   
Date 9.24.04

Based on PTO/USPS (R-00) 11/01 as modified by BLS 3/01, 5/01, 6/01, 7/01, 8/01, 9/01, 10/01, 11/01, 12/01, 1/02, 2/02, 3/02, 4/02, 5/02, 6/02, 7/02, 8/02, 9/02, 10/02, 11/02, 12/02, 1/03, 2/03, 3/03, 4/03, 5/03, 6/03, 7/03, 8/03, 9/03, 10/03, 11/03, 12/03, 1/04, 2/04, 3/04, 4/04, 5/04, 6/04, 7/04, 8/04, 9/04, 10/04, 11/04, 12/04, 1/05, 2/05, 3/05, 4/05, 5/05, 6/05, 7/05, 8/05, 9/05, 10/05, 11/05, 12/05, 1/06, 2/06, 3/06, 4/06, 5/06, 6/06, 7/06, 8/06, 9/06, 10/06, 11/06, 12/06, 1/07, 2/07, 3/07, 4/07, 5/07, 6/07, 7/07, 8/07, 9/07, 10/07, 11/07, 12/07, 1/08, 2/08, 3/08, 4/08, 5/08, 6/08, 7/08, 8/08, 9/08, 10/08, 11/08, 12/08, 1/09, 2/09, 3/09, 4/09, 5/09, 6/09, 7/09, 8/09, 9/09, 10/09, 11/09, 12/09, 1/10, 2/10, 3/10, 4/10, 5/10, 6/10, 7/10, 8/10, 9/10, 10/10, 11/10, 12/10, 1/11, 2/11, 3/11, 4/11, 5/11, 6/11, 7/11, 8/11, 9/11, 10/11, 11/11, 12/11, 1/12, 2/12, 3/12, 4/12, 5/12, 6/12, 7/12, 8/12, 9/12, 10/12, 11/12, 12/12, 1/13, 2/13, 3/13, 4/13, 5/13, 6/13, 7/13, 8/13, 9/13, 10/13, 11/13, 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